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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 CHARLES JEFFERY DAVIS,

7 Petitioner,

8 v.

9 MARGARET GILBERT,

10 Respondent.

Case No. C17-5665 RBL-TLF

ORDER TO SHOW CAUSE
REGARDING PETITIONER'S
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS

11 This matter is before the Court on petitioner's filing of an application to proceed *in forma*
12 *pauperis* and a petition for writ of *habeas corpus* under 28 U.S.C. §2254. Dkt. 1. An attached
13 trust account statement dated August 4, 2017 shows that petitioner has average monthly receipts
14 of \$35.93 and an average monthly spendable balance of \$72.05. The filing fee for a habeas
15 petition is \$5.00. Based on the information provided by petitioner, the Court is unable to
16 determine whether he should be granted IFP.

17 Accordingly, the Court ORDERS:

- 18 (1) Petitioner shall show cause why his IFP application should not be denied **on or**
19 **before October 29, 2017**. Alternatively, petitioner may pay the \$5.00 filing fee
20 before that date. Petitioner's failure to do so shall be deemed a failure to properly
21 prosecute this matter and the Court will recommend dismissal of the petition.
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(2) The Clerk is directed to send a copy of this Order to petitioner.

Dated this 26th day of September, 2017.

Theresa L. Frutke

Theresa L. Fricke
United States Magistrate Judge